REMARKS

Independent claim 1 is amended to include the features of claim 3 and also recite that the broadcast communication channel is opened using the service information data, as well as the channel parameter data. Support for the foregoing exists in the specification at, for example, page 8, lines 11 to 14. Claim 3 is thus cancelled.

Independent claim 1 also is amended to recite that the broadcast network is separate from the bi-directional network. Support for this amendment also exists in the specification and in Figures 1 and 7. Corresponding amendments are similarly made to the other independent claims.

New claims 40-42 are added as supported by the specification at, for example, page 8, lines 7-9. Lastly, new claims 43-47 are added, which also are supported by the specification and the original claims. For example, see original claims 14-15 and 17-18.

Other clarifying amendments are made to the claims to improve upon the wording and grammar. Such amendments are not made for reasons related to patentability and the full range of equivalents should remain in tact.

Accordingly, upon entry of this Amendment, claims 1-2, 4-11, 13, 16, 19-32 and 34-47 are pending. Of those claims, claims 1, 10, 19, 24, 29, 30 and 31 are independent.

In the outstanding non-final Office Action, claims 1-8, 10-13, 16, 19-20, 22-25 and 27-38 are rejected under 35 USC Section 103(a) as being unpatentable over Kim et al. (US Patent Publication 2003/0032389, hereinafter "Kim") in view of Stille (WO 02/13488, hereinafter "Stille"). Claims 9 and 39 are rejected under 35 USC Section 103(a) as being unpatentable over Kim in view of Stille, as applied to claims 1 and 31, and further in view of Rebhan et al. (WO 99/33076, hereinafter "Rebhan").

Lastly, claims 21 and 26 are rejected under 35 USC Section 103(a) as being unpatentable over Kim in view of Stille, as applied to claims 19 and 24, and further in view of Wang (US Patent Publication 2004/0203630, hereinafter "Wang").

The foregoing rejections are respectfully disagreed with, and are traversed below.

Kim discloses an apparatus for providing a television broadcasting service in a mobile communication system. A TV broadcasting system 201 sends video and audio signals to a subscriber terminal 204 over a satellite network 202 or a terrestrial broadcasting network 203 (see column 2 of Kim and Figure 4 showing a mobile station (MS) for receiving a TV broadcast channel).

Kim does not disclose or suggest "receiving channel parameter data relating to [a] broadcast service ... via [a] bi-directional network ... and ... using the received channel parameter data ... to open a broadcast communications channel via a broadcast network separate from the bi-directional network" as recited in Applicant's independent claim 1.

Stille relates to streaming set-up within a mobile terminal. According to Stille beginning at page 3, line 10, a browser application in the mobile device is used by a user to select audio or video objects from WAP gateway/server 45. Once a streaming object has been selected, wireless links 75 are established through a PLMN network 77 (see page 3, lines 19-22 of Stille). The browser then receives an address/identity of the selected audio/video streaming object and generates a set-up command for transmission to a streaming client 60, located within a mobile terminal (see page 4, lines 4-8). The streaming client then transmits a second set-up command to a radio unit 35 to establish a wireless signaling link 75 between the mobile terminal 10 and the streaming server 50 (see page 4, lines 16-19). Streaming then occurs over the wireless streaming media link 75 to the streaming client 60. It will be appreciated that the wireless streaming link 75 is a bi-directional link.

Stille does not disclose or suggest "using the received channel parameter data and the service information data to open a broadcast communications channel via a broadcast network separate from the bi-directional network," as recited in Applicant's independent claim 1.

As such, no combination of Kim and Still would result in a method according to Applicant's independent claim 1. Moreover, there is no reason to combine and modify the teachings of these references in an attempt to arrive at Applicant's claimed subject matter.

Thus, independent claim 1 is believed to be patentable in view of Kim and Stille for at least the foregoing reasons. Similarly, for corresponding reasons, all other independent claims are believed to be patentable in view of the above cited art.

Accordingly, as all independent claims are believed to be patentable, all remaining dependent claims are believed to be allowable at least in view of their dependency from an allowable independent claim. For completion, it is noted that the addition of Rebhan and/or Wang, which were cited the by the Examiner in the rejection of Applicant's dependent claims, does not cure the shortcomings of Kim and Stille, and thus do not disclose or suggest Applicant's claimed subject matter.

All issues having been addressed, the subject application is believed to be in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections and allow all pending claims in the application. A Notice of Allowance is therefore requested.

Should the Examiner have any questions, a call to the undersigned would be appreciated.

Respectfully submitted:

Christine Wilkes Beninati
Reg. No.: 37,967
Customer No.: 29683
HARRINGTON & SMITH, PC
4 Research Drive
Shelton, CT 06484-6212
Telephone: (203) 925-9400
Facsimile: (203) 944-0245

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Date

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